

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	)	
	)	
Section 20.19 of the Commission's Rules	)	WT Docket No. 01-
	309	
Governing Hearing Aid-Compatible Telephones	)	RM-8658

**Report and Request for Waiver--47 C.F.R. § 20.19(d)(2)  
Hearing Aid Compatibility--Inductive Coupling**

Farmers Mutual Telephone Company dba FMTC Mobile Services ("Reporter"), a digital wireless service provider, pursuant to the Federal Communications Commission's ("Commission" or "FCC") *Report and Order* in WT Docket No. 01-309, FCC 03-168, 29 CR 1299 (August 14, 2003), at the staff's request, hereby files a supplemental report concerning the availability of digital phones for the hearing impaired.<sup>1 2</sup>

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<sup>1</sup> On July 7, 2004 the FCC published notice that it had obtained OMB approval to collect hearing aid compatibility reports from wireless carriers. 69 Fed. Reg. 40928 (Wednesday, July 7, 2004). Pursuant to the *Report and Order, Amendment of Section 68.4(a) of the Commission's Rules Governing Hearing Aid-Compatible Telephones*, 68 Fed. Reg. 54173 (September 16, 2003), reports are due every six months after rule effectiveness for the first three years and then annually for the next two years. The first reports were filed in November 2004.

<sup>2</sup> The staff clarified that the waiver request should not be withdrawn; we appreciate the staff comment and Reporter withdraws the withdrawal request.

1) Does Reporter currently comply with Section 20.19(d)(2) of the Commission's Rules? **Response:** Yes.

2) On what date did Reporter first comply? **Response:** Reporter was fully compliant as of December 27, 2007.

3) For each interface for which waiver is sought, which 2 handsets were offered on the initial compliance date? Please provide the manufacturer name, model number, and FCC ID number of these two T-coil certified handsets. **Response:** Reporter's March 27, 2007, *Report and Request for Waiver--47 C.F.R. § 20.19(d)(2) Hearing Aid Compatibility--Inductive Coupling* reports that "Since the time of the last report Reporter has been able to acquire the following Motorola handsets which the Commission has approved as being T4 and M4 certified: K1m [IHDT56GH1], V3m [IHDT56FT1], and V323i [IHDT56GS1]." Inadvertently omitted from that listing was the Motorola V3c [IHDT56FT1] which Reporter actually received prior to September 18, 2007. Reporter's records show that it received the Motorola V3c for stock on June 2, 2006. Subsequently, Reporter received the Motorola K1m for stock on December 27, 2006, and it achieved T-coil rule compliance as of that date.<sup>3</sup> Subsequently Reporter placed orders for additional T-coil compliant handsets promptly upon learning of their availability from its vendor: the Motorola V323i was received by Reporter for stock on February 20, 2007, and the Motorola V3m was received for stock on February 28, 2007.

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<sup>3</sup> Reporter's September 18, 2006, *Report and Request for Waiver--47 C.F.R. § 20.19(d)(2) Hearing Aid Compatibility--Inductive Coupling* indicated that Reporter did not have any T-coil compliant handsets in stock at the time the inductive coupling requirement became effective. However, the Motorola V3m was overlooked and Reporter had one handset model in stock as of September 18, 2006.

4) Additional information in support of the waiver request: Reporter, like other Tier Three carriers, purchase handsets from wholesalers rather than directly from the manufacturers. These wholesalers must wait for the manufacturers to produce a generic model before the wholesalers are able to stock the handset for distribution to small carriers such as Reporter.<sup>4</sup> From the time of the filing of the initial HAC waiver request through December 2006 Reporter and its handset vendor maintained steady communication via e-mail regarding the availability of T-coil compliant handsets.<sup>5</sup> Upon receipt of the T-coil compliant handsets Reporter's vendor immediately shipped them to Reporter. It is respectfully submitted that Reporter worked diligently to obtain HAC compliant handsets, that Reporter endeavored to keep the FCC updated with the status of their progress regarding compliance, that the time of non-compliance was brief, that no person has requested or been refused a HAC compliant handset, that Reporter did have one T-coil compliant handset on hand as of September 18, 2006 in the event a request for a HAC compliant handset were received, and that grant of the requested waiver would serve the public interest.<sup>6</sup>

Respectfully Submitted,  
Timothy E. Welch  
Hill & Welch

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<sup>4</sup> Reporter currently has 1975 subscribers.

<sup>5</sup> It is not intended that this statement imply that communication regarding HAC compliant handsets has ceased. The communication is ongoing through today.

<sup>6</sup> Reporter has never received a request for a HAC compliant handset from a current, former, or prospective subscriber.

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#113

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